

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

BRADBURY P, BURNS P, EISBART P,
GIAQUINTA P, HENRY P, REDD P,
SCHMIDT P, STIER P, TALARICO P

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

COMMUNICATIONS FROM THE MAYOR

November 12, 1986

To the Common Council
Gentlemen and Mrs. Bradbury:

Today, November 12, 1986, I have approved the following ordinances and resolutions passed by the Common Council at this special meeting of November 10, 1986.

(Bill NO. S-86-10-35)
SPECIAL ORDINANCE NO. S-184-86

AN ORDINANCE approving Civil City Purchase Order #A-49163, with Koehlinger Kruse Security Systems, for the Department of Parks and Recreation, of the City of Fort Wayne, Indiana

(Bill No. R-86-10-37)
DECLARATORY RESOLUTION NO. R-82-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana. (EDY's Grand Ice Cream, Petitioner)

(Bill No. R-86-10-39)
DECLARATORY RESOLUTION NO. R-83-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2504 Getz Road, Fort Wayne, Indiana. (Summit City Investments, Petitioner)

(Bill No. R-86-10-41)
DECLARATORY RESOLUTION NO. R-84-86

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1317 Chute Street, Fort Wayne, Indiana. (Envirotemp Corporation, Petitioner)

(Bill No. R-86-11-02)
DECLARATORY RESOLUTION NO. R-85-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as the former L.S. Ayres department store building, Roth, Wehrly Realty building, Adams Appliance store building. (CBD Investment Group, Petitioner)

(Bill No. R-86-11-04)
DECLARATORY RESOLUTION NO. R-86-86

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as the Northwest Corner of Wayne and Clinton Streets, Fort Wayne, Indiana. (Town Center Garage Company, Petitioner)

(Bill No. S-86-10-44)
SPECIAL ORDINANCE NO. S-185-86

AN ORDINANCE approving Contract for Res. 6059-86, Hanna and Madison St., Curbs and Walks, 1986 Bond Issue, between the City of Fort Wayne, Indiana and Hipskind Concrete, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-86-10-45)
SPECIAL ORDINANCE NO. S-186-86

AN ORDINANCE approving Contract for Res. 6058-86, Piqua Avenue Curbs, 1986 Bond Issue, between the City of Fort Wayne, Indiana and John Dehner, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-86-10-46)
SPECIAL ORDINANCE NO. S-187-86

AN ORDINANCE approving Contract for RES. 6061-86 - Luther Street Sidewalks, 1986 Bond Issue, between the City of Fort Wayne, Indiana and Gains Construction Company, in connection with the Board of Public Works and Safety

(Bill No. S-86-10-47)
SPECIAL ORDINANCE NO. S-188-86

AN ORDINANCE approving Contract for Improvement Resolution 6060-86, Archer Avenue Curbs (Both Sides), 1986 Bond Issue, between the City of Fort Wayne, Indiana and Hipskind Concrete, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-86-10-48)
SPECIAL ORDINANCE NO. S-189-86

AN ORDINANCE approving Contract for Resolution 6055-86, Parnell Avenue Sidewalks, 1986 Bond Issue, between the City of Fort Wayne, Indiana and Gaines Construction Company, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-86-10-49)
SPECIAL ORDINANCE NO. S-190-86

AN ORDINANCE approving Contract for Resolution 6054-86 - Plaza Drive and Central Drive, 1986 Bond Issue, between the City of Fort Wayne, Indiana and Gaines Construction Company, in connection with the Board of Public Works and Safety

(Bill No. S-86-10-50)
SPECIAL ORDINANCE NO. S-191-86

AN ORDINANCE approving Contract for Improvement Resolution 6057-86 - New Kirkwood Park Street Repair 1986 Bond Issue, between the City of Fort Wayne, Indiana and Rieth-Riley Construction, in connection with the Board of Public Works and Safety

(Bill No. S-86-10-51)
SPECIAL ORDINANCE NO. S-192-86

AN ORDINANCE approving Contract for Improvement Res. #6056-86, Delaware and Tecumseh Sidewalks - 1986 Bond Issue, between the City of Fort Wayne, Indiana and M.A. Gaines Construction Co., Inc., in connection with the Board of Public Works and Safety

(Bill No. S-86-10-52)
SPECIAL ORDINANCE NO. S-193-86

AN ORDINANCE approving City Utilities Purchase Order #A-54561, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Budd Corp./Polychem Division, for the Three Rivers Filtration Plant

(Bill No. S-86-10-53)
SPECIAL ORDINANCE NO. S-194-86

AN ORDINANCE approving Contract for Res. 903-1986 - "Preliminary", East Cook Road Sanitary Sewer Extension - A.F. Smith Subdivision, between Land Excavating, INC., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

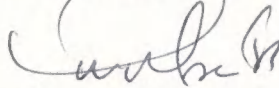
(Bill No. S-86-10-54)
SPECIAL ORDINANCE NO. S-195-86

AN ORDINANCE approving Contract for Res. 424-1986, Lafayette Center Rd. - Aboite Road, Sanitary Sewer, between the City of Fort Wayne, Indiana and Land Excavating, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-86-10-55)
SPECIAL ORDINANCE NO. S-196-86

AN ORDINANCE approving Contract for Concordia Gardens Storm Drainage Improvement, Resolution 426-1986, between Liberty Construction, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Win Moses, Jr.", written over a horizontal line.

Win Moses, Jr.
Mayor



The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

5 November 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

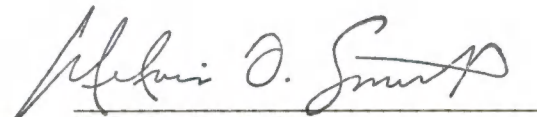
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-86-10-13

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
5th day of November 1986.


Melvin O. Smith
Secretary

Division of Community Development & Planning

FACT SHEET

Z-86-10-13

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

ZONING ORDINANCE AMENDMENT
From R-2 to R-3)

DETAILS

Specific Location and/or Address

1632 High Street

Reason for Project

WITHDRAWN BY PETITIONER AT BUSINESS
MEETING HELD October, 27, 1986

Discussion (Including relationship to other Council actions)

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents**

Applicant(s)

Carl & Carol Baker
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

**Staff
Recommendation**

☐ For ☐ Against

Reason Against

**Board or
Commission
Recommendation**

By

☐ For ☐ Against
☐ No Action Taken

☐ For with revisions to condition
(See Details column for condition)

**CITY COUNCIL
ACTIONS
(For Council
use only)**

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

| | |
|-------------------------------|--|
| Policy or Program Change | <input type="checkbox"/> No <input type="checkbox"/> Yes |
| | |
| | |
| | |
| Operational Impact Assessment | |
| | |
| | |
| | |

(This space for further discussion)

Project Start

Date 16 September 1986

Projected Completion or Occupancy

Date 5 November 1986

Fact Sheet Prepared by

Date 5 November 1986

Patricia Biancaniello

Reviewed by

Date 11/12/86

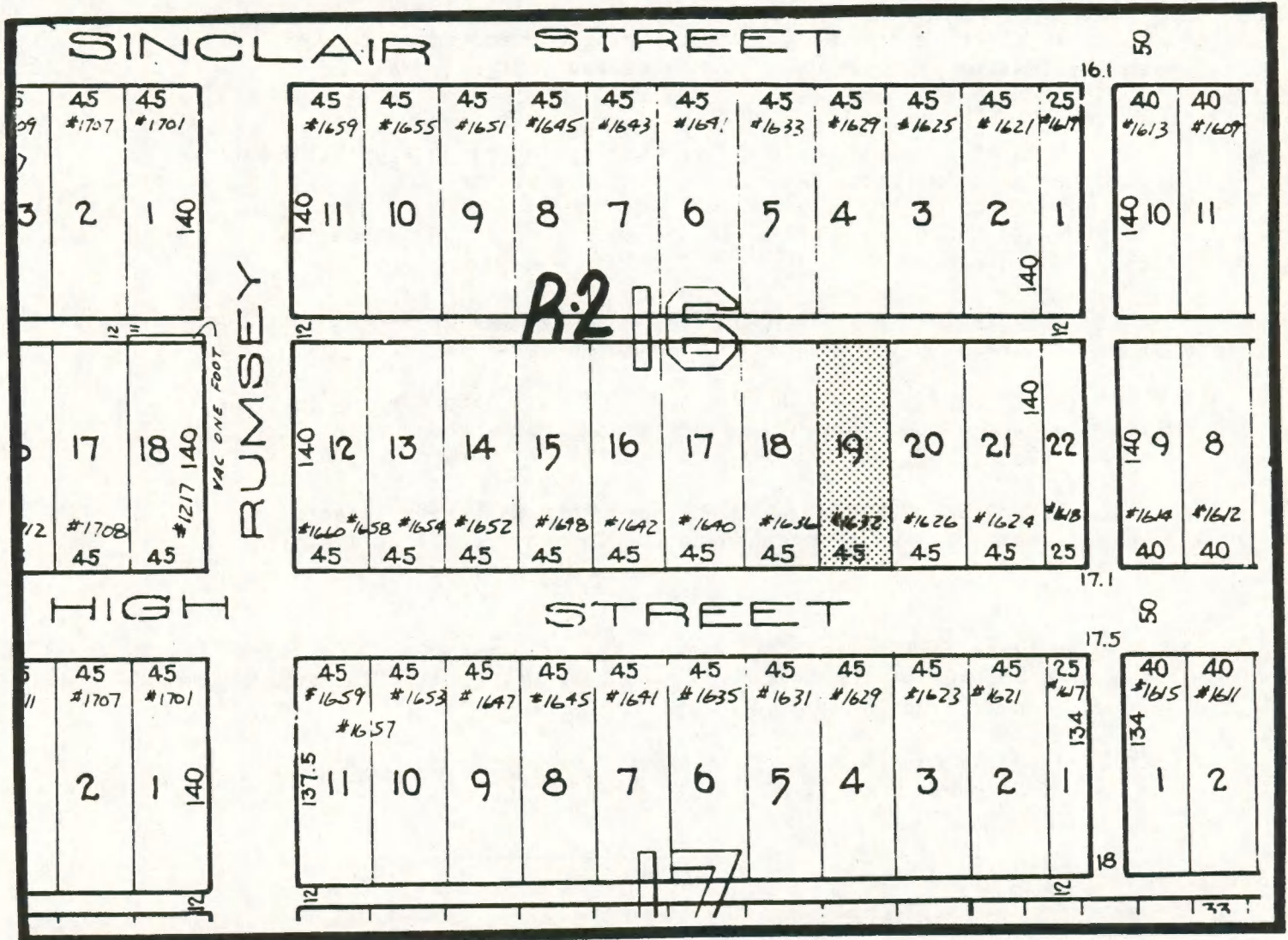
Gary Barta

Reference or Case Number

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-2 DISTRICT TO AN R-3 DISTRICT.

MAP NO. J-10

COUNCILMANIC DISTRICT NO. 4



ZONING:

LAND USE:

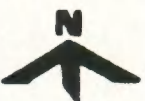
R2 RESIDENTIAL DISTRICT

☐ SINGLE FAMILY

SCALE: 1"=100'

24

DATE: 10-6-86



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1986 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-10-13: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1986; and,

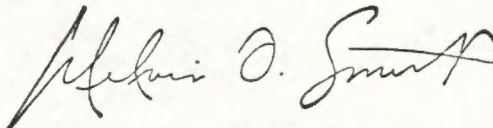
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the request of the petitioner.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1986.

Certified and signed this
5th day of November 1986.



Melvin O. Smith
Secretary



The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

5 November 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-86-10-11

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
5th day of November 1986.

Melvin O. Smith
Secretary

Division of Community Development & Planning

FACT SHEET

Z-86-10-11

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment

From R-3 to POD

DETAILS

Specific Location and/or Address

2117 Reed Road

Reason for Project

To allow for expansion of a Professional Office District.

Discussion (Including relationship to other Council actions)

20 October 1986 - Public Hearing

William Swift attorney for the petitioners stated that this rezoning is in correlation with the requested rezoning at 4524 E. State Bl, which is part of the same parcel. He stated they want to rezone this property to a POD and make it part of the State/Reed Professional Office Park. He stated that this rezoning would make for a more uniform development of the area. He stated again that they have no conflict with the requested conditions placed on the property by staff, with the exception of the 30 foot setback on the west side of the property.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

27 October 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

Richard & Teresa Daugherty

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff Recommendation

☒ For ☐ Against

Reason Against

Board or Commission Recommendation

By

☒ For ☐ Against

☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

Of the eight members present 7 voted in favor of approval, one did not vote.

NOTE: The 30 foot setback on the west side of the property was amended by staff to reflect the needs of the petitioner.

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date August 1, 1986

Projected Completion or Occupancy

Date November 6, 1986

Fact Sheet Prepared by

Patricia Biancaniello

Date November 6, 1986

Reviewed by

Date 11/12/86

Gary Baith

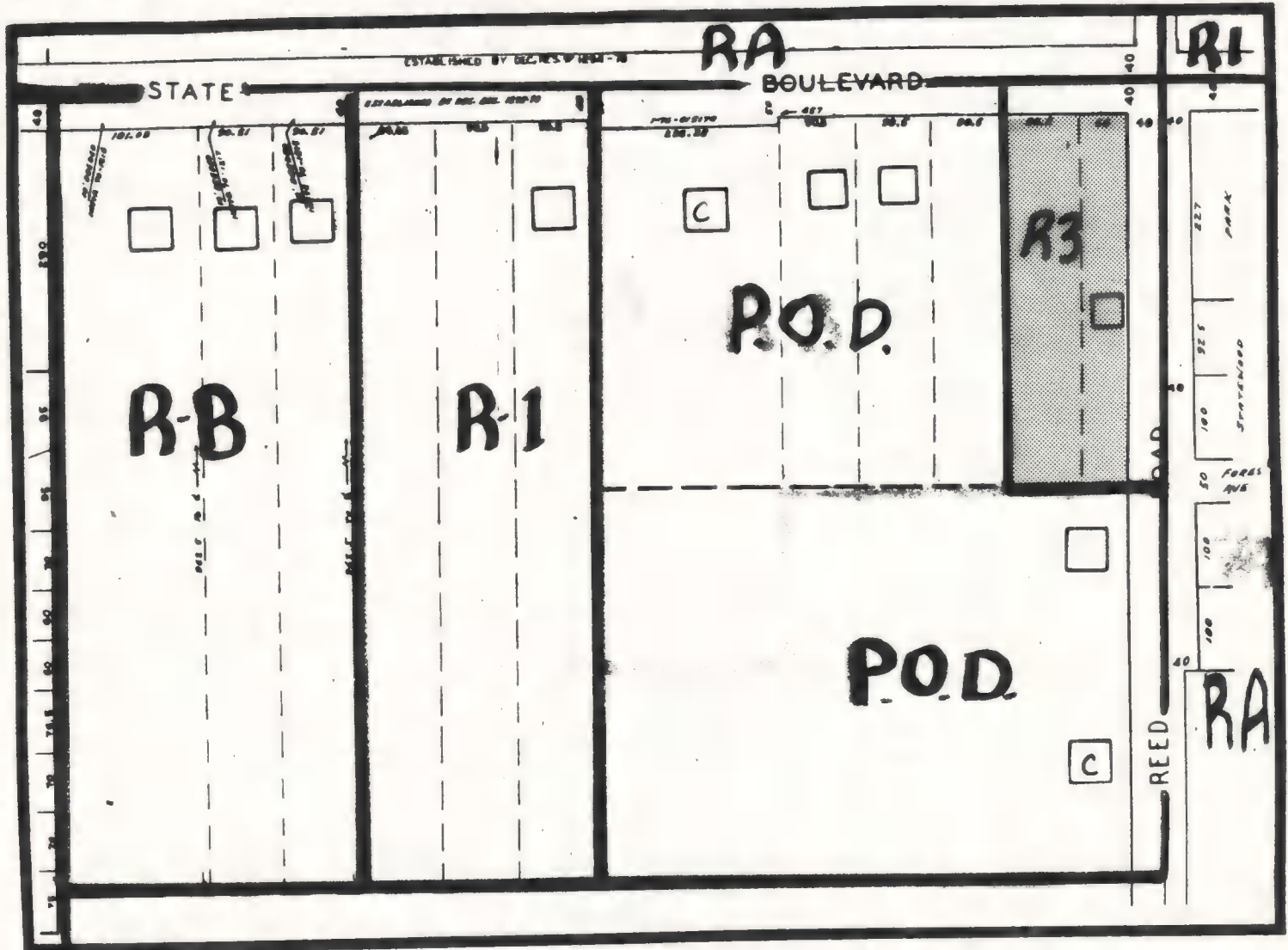
Reference or Case Number

REZONING PETITION # 225

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-3 TO A P.O.D. DISTRICT.

MAP NO. S-14

COUNCILMANIC DISTRICT NO. 2



ZONING:

RI RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
RA RESIDENCE 'A'
RB RESIDENCE 'B'
P.O.D. PROFESSIONAL OFFICE DISTRICT

LAND USE:

☐ SINGLE FAMILY
☐ COMMERCIAL

SCALE: 1"=200'

DATE: 8-28-86



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1986 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-10-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1986.

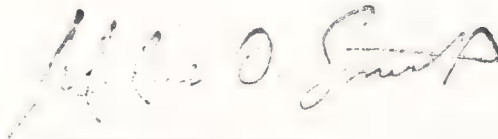
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1986.

Certified and signed this
6th day of November 1986.



Melvin O. Smith
Secretary

Change of Zone # 225

Proposal: William Swift, attorney for the petitioner, requests a change of zone from R-3 to POD.

Location: 2117 Reed Road

Legal: See file

Zoning: R-3

Land Area: Approximately 2.08 Acres

| | | | |
|---------------|-------|-----|------------------|
| Surroundings: | North | RA | Open |
| | South | POD | Offices |
| | East | RA | SFR & commercial |
| | West | POD | Offices |

Reason for Request: Enlargement of a POD

Planning Staff Discussion:

The Commission is referred to the staff comments on petition #224, as both petitions concern the same existing development.

Along with the reasons cited previously, this parcel lies between the existing POD and Reed Road, approval of this request would allow the logical expansion of this development to the natural boundary of the street.

We see very little impact on surrounding properties caused by approval. In fact, approval may help to strengthen the residential uses and to ease some of the traffic safety concerns associated with State and Reed Roads.

Recommendation: Approval

- 1) Approval will not adversely impact surrounding properties.
- 2) Approval will allow this parcel to be used to its highest and best zoning designation.

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

From R-3 to POD

APPROVAL DEADLINE

REASON

2-00-10-11

BILL NUMBER

DETAILS

Specific Location and/or Address

2117 Reed Road

Reason for Project

To allow for expansion of a Professional Office District.

Discussion (Including relationship to other Council actions)

20 October 1986 - Public Hearing

William Swift attorney for the petitioners stated that this rezoning is in correlation with the requested rezoning at 4524 E. State Bl, which is part of the same parcel. He stated they want to rezone this property to a POD and make it part of the State/Reed Professional Office Park. He stated that this rezoning would make for a more uniform development of the area. He stated again that they have no conflict with the requested conditions placed on the property by staff, with the exception of the 30 foot setback on the west side of the property.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

27 October 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

Richard & Teresa Daugherty

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff Recommendation

☒ For ☐ Against

Reason Against

Board or Commission Recommendation

By

☒ For ☐ Against

☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

Of the eight members present 7 voted in favor of approval, one did not vote.

NOTE: The 30 foot setback on the west side of the property was amended by staff to reflect the needs of the petitioner.

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date August 1, 1986

Projected Completion or Occupancy

Date November 6, 1986

Fact Sheet Prepared by

Patricia Biancaniello

Date November 6, 1986

Reviewed by

Date 11/12/86

Gary Barta

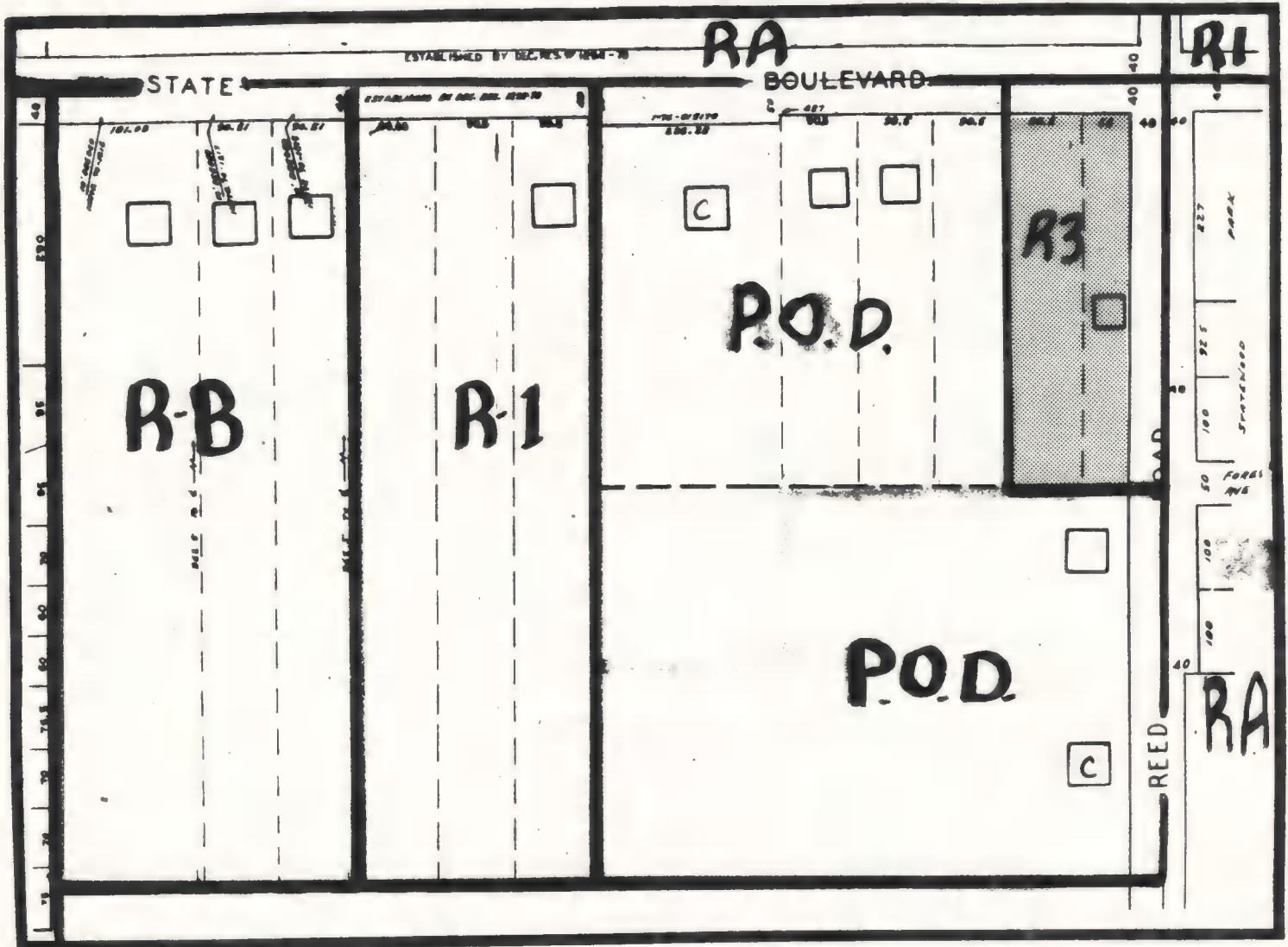
Reference or Case Number

REZONING PETITION # 225

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-3 TO A P.O.D. DISTRICT.

MAP NO. S-14

COUNCILMANIC DISTRICT NO. 2



ZONING:

LAND USE:

RI RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
RA RESIDENCE 'A'
RB RESIDENCE 'B'
P.O.D. PROFESSIONAL OFFICE DISTRICT

☐ SINGLE FAMILY
☐ COMMERCIAL

SCALE: 1"=200'

19

DATE: 8-28-86



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1986 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-10-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1986.


NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1986.

Certified and signed this
6th day of November 1986.



Melvin O. Smith
Secretary

Change of Zone # 225

Proposal: William Swift, attorney for the petitioner, requests a change of zone from R-3 to POD.

Location: 2117 Reed Road

Legal: See file

Zoning: R-3

Land Area: Approximately 2.08 Acres

| | | | |
|---------------|-------|-----|------------------|
| Surroundings: | North | RA | Open |
| | South | POD | Offices |
| | East | RA | SFR & commercial |
| | West | POD | Offices |

Reason for Request: Enlargement of a POD

Planning Staff Discussion:

The Commission is referred to the staff comments on petition #224, as both petitions concern the same existing development.

Along with the reasons cited previously, this parcel lies between the existing POD and Reed Road, approval of this request would allow the logical expansion of this development to the natural boundary of the street.

We see very little impact on surrounding properties caused by approval. In fact, approval may help to strengthen the residential uses and to ease some of the traffic safety concerns associated with State and Reed Roads.

Recommendation: Approval

1) Approval will not adversely impact surrounding properties.

2) Approval will allow this parcel to be used to its highest and best zoning designation.



The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

5 November 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-86-10-12

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
5th day of November 1986.

Melvin O. Smith
Secretary

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

From R-1 to POD

DETAILS

Specific Location and/or Address

4524 E. State B1

Reason for Project

To allow for expansion of a Professional Office District.

Discussion (Including relationship to other Council actions)

20 October 1986 - Public Hearing

William Swift, attorney for the petitioners stated that this parcel of ground is located immediately adjacent to what it now known as State/Reed Professional Office Park. Mr. Swift stated that the purpose of the rezoning is to incorporate this additional acreage as part of the overall development plan. He stated that the developers feel that having all of the property under the same zoning classification would make for a nicer and more uniform development consistent with the long range planning goals and it would also be a buffer for the commercial area to the west. Mr. Swift stated that they had no problem with the conditions stated in the staff analysis with the exception of the required setback on the west. He stated that they are requesting that they are requesting it be a 20 foot setback on the west. He stated that they do not intend to build in that 30 feet but would like to use it for parking.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents

Applicant(s)

Paul & Helen Roy
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff
Recommendation
☒ For ☐ Against

Reason Against

Board or
Commission
Recommendation

By

☒ For ☐ Against

☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)
CITY COUNCIL
ACTIONS
(For Council
use only)
☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

27 October 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the 8 members present 7 voted in favor of approval one did not vote.

NOTE: The staff changed its recommendation on the required setback on the west side of the property to coincide with the request of the petitioner.

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date August 1, 1986

Projected Completion or Occupancy

Date November 6, 1986

Fact Sheet Prepared by

Date November 6, 1986

Patricia Biancaniello

Reviewed by

Date 11/12/86

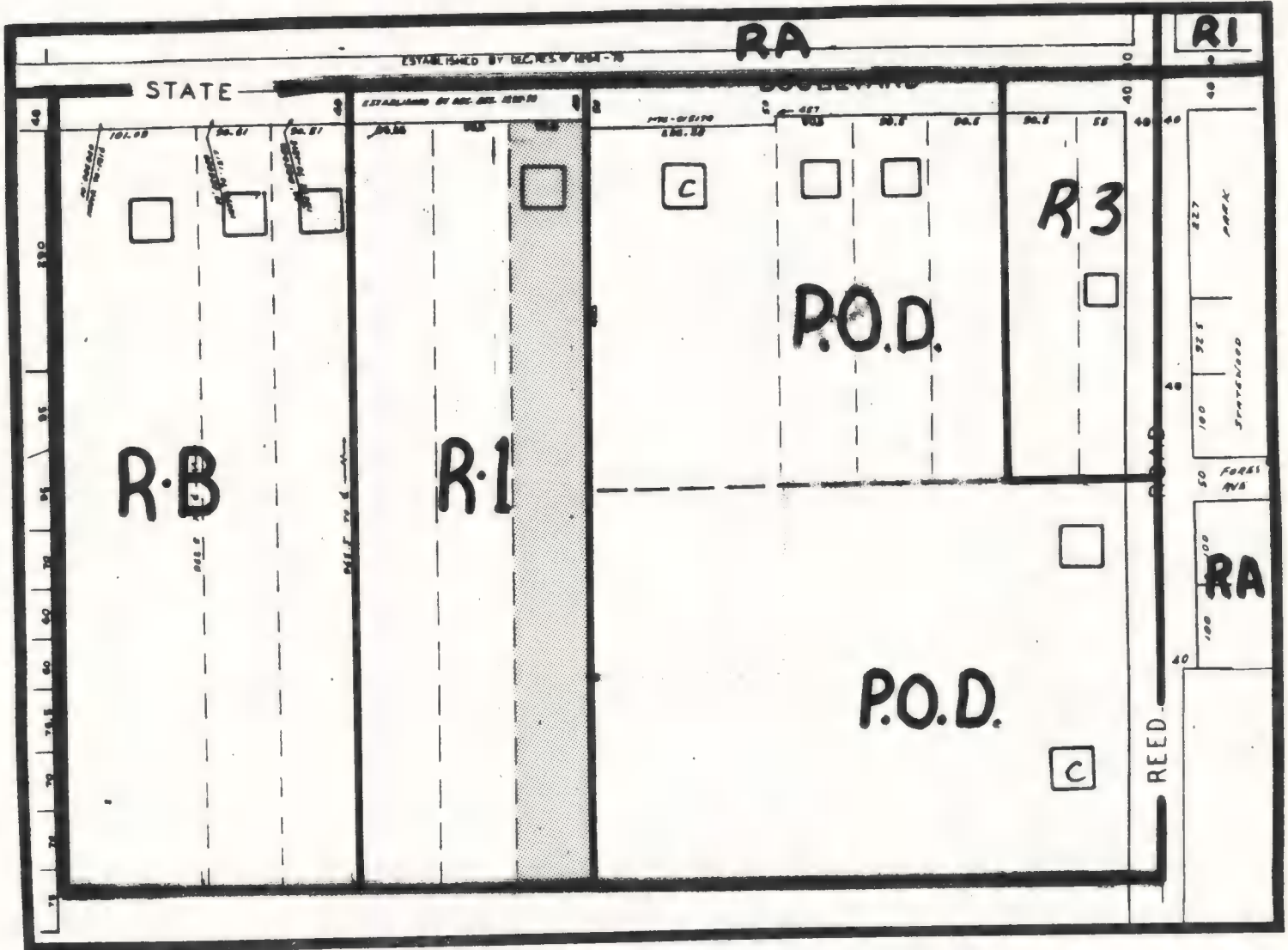
Derry Burtis
Reference or Case Number

REZONING PETITION 77-227

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-1 TO A P.O.D. DISTRICT.

MAP NO. 5-14

COUNCILMANIC DISTRICT NO. 2



ZONING:

LAND USE:

- RI RESIDENTIAL DISTRICT
- R3 RESIDENTIAL DISTRICT
- RA RESIDENCE 'A'
- RB RESIDENCE 'B'
- P.O.D. PROFESSIONAL OFFICE DISTRICT

- ☐ SINGLE FAMILY
- ☒ COMMERCIAL

SCALE: 1"=200'

DATE: 8-28-86



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-10-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1986.

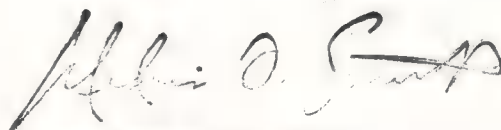
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1986.

Certified and signed this
6th day of November 1986.



Melvin O. Smith
Secretary

Change of Zone #224

Proposal: William Swift, attorney for the petitioner, requests a change of zone from R-1 to POD.

Location: 4524 E. State

Legal: See file

Zoning: R-1

Land Area: Approximately 1.9 Acres

| | | | |
|---------------|-------|-----|----------------------|
| Surroundings: | North | RA | Open |
| | South | RA | Open and SFR |
| | East | POD | Professional Offices |
| | West | R-1 | Residential & office |

Reason for Request: Enlargement of an existing POD

Planning Staff Discussion:

This request is to allow the expansion of an existing POD development. The site plan for the development would also be subject to the Plan Commissions review and approval.

This area of East State Blvd. has seen constantly increasing traffic due to residential and commercial development in the northeast sections of the city. Due to the traffic impact along this area of large-lot residential homes, the stability of residential development has been affected. With the current street improvement project along State Blvd., this concern will be relieved to some extent.

The POD designation is much less commercial in nature and appearance than could be expected, and is designed to blend in with existing residential uses. With Reed Street serving as a natural boundary to the east, the potential growth of this development mandates expansion to the west and or south. Allowing expansion along the westerly edge protects the residential developments to the south, and may serve to eliminate some of the possible traffic safety problems along State Blvd.

Recommendation: Approved

- 1) Approval will not adversely impact abutting developments
- 2) The R-1 classification is not the highest or best use of this property at this time.
- 3) Approval is within keeping of the established uses and policies of the Plan Commission.



The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

5 November 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-86-10-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
5th day of November 1986

Melvin O. Smith
Secretary

Division of Community Development & Planning

FACT SHEET

2-80-10-10

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment
From B-1-B to B-3-B

DETAILS

Specific Location and/or Address

1201 East State Street

Reason for Project

To allow for the sale of used cars.

Discussion (Including relationship to other Council actions)

20 October 1986 - Public Hearing

Jim Libka, petitioner and owner, appeared before the Commission. Mr. Libka stated he has been the owner and proprietor of service station located on the property in question for approximately 30 years. He stated the reason they are asking for the change of zone is to allow for them to sell used cars from the property in addition to running the service station. He stated this rezoning may also be a matter of survival for his business. He stated that his business supports three families. He stated that the need for the rezoning has come about because of the changes in the marketing of gasoline. He stated that the competition is far greater than it was 25 years ago. He stated that in addition to the selling of gasoline being marketed in being other areas they are not competing with the service part of their business, with such companies as "Jiffy Lubes", "Grease Monkeys" specialized muffler agencies, brake shops, tune up shops. He stated that they are one of approximately 50 service stations still in the business as opposed to the nearly 350 service stations in the 1960's. He stated that within the last 30 days the EPA has met with top level oil industry people and have proposed new controls concerning underground gasoline storage. He stated that one of the proposals is that any underground storage tank that stores gasoline or hazardous materials will give a life of 20 years, anything 20 years or older would be excavated and replaced with new ones. He stated big oil can afford this type of an expenditure. He stated that small businesses such as his could not come up with the capital necessary to meet this new regulation is passed. He stated that one of the concerns expressed in the staff analysis is was that this would cause an increase in traffic and thereby pose a threat to the general public. He stated that he would point out that they have approximately 200 cars a day coming in and out of the business. He stated that if it were successful in auto sales, he doubted that they would have 200 potential car sales a day. Mr. Libka stated that the staff analysis felt that the property values would be better served by this property remaining B-1-B. He stated that they as business people are endeavoring to protect the value of their property and the neighborhood as much as anyone. He stated he could not see how a boarded up service station could be a better solution to their dilemma than what they are asking for. He stated that the other three corners are already zoned B-3-B. He stated that they are merely asking for the same opportunity as their business neighbors.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

James & Jacqueline Libka
City Department

Other

Opponents

Groups or Individuals

Ray Racine, Northside Neigh
Assn.

Basis of Opposition

- zoning would create a
problem in area

Staff Recommendation

☐ For ☒ Against

Reason Against

- create traffic problems
- would allow for more
intense uses

Board or Commission Recommendation

By

☐ For ☒ Against
☐ No Action Taken

☐ For with revisions to condition
(See Details column for condition)

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS

John Shoaff questioned if they would continue as a service station until such time as the EPA passed the law requiring they replace the tanks.

He said that they may not implement the law, but if they do they would still maintain the service part of their present business as well as sell cars.

Mr. Shoaff asked if there would be any physical changes to the property, such as with signs and lighting.

Mr. Libka stated that they would not have any major physical changes, unless they have to pull out the gas pumps. He stated that the signage would be less if they did not sell gas, they would be rid of the large Marathon logo. He stated that the lighting would be what ever necessary for security reasons. He stated they have tried to be good neighbors. He stated that they maintain their property in good fashion.

Herman Friedrich questioned if they were intended to get out of the service station business entirely and use the property for a used car lot.

Mr. Libka stated that they did not. He stated if they are forced out of the business of selling gas by the EPA ruling, they are intending to maintain the service facet of their business. He stated they are simply trying to plan ahead.

The proprietor of the Crescent Garage for 25 years appeared before the Commission in favor of the rezoning. He stated that Mr. Libka was indeed a good neighbor. He stated that Mr. Libka keeps his property up and is a credit to the neighborhood.

Steve Smith stated that the map shows the Crescent Garage as being zoned B-1-B not B-3-B as Mr. Libka indicated.

The gentlemen stated that 5 years ago he had everything from Crescent Avenue, from State Street north to the alley, from Crescent Avenue to Kentucky Avenue rezoned to B-3-B. He stated that he was a non-conforming use and he wanted to expand and in order to do so he had to rezone.

Ray Racine, with the Northside Neighborhood Association stated that Mr. Libka has been a good neighbor and does conduct his business well. He stated however, that they feel putting 3 businesses on one property will cause a problem. He stated that they have very little parking on this property and adding this type of business would create a greater problem. He stated if they could restrict the number of cars he could sell to one or two, they would have no objection to the rezoning. He stated if he went out of the service station business and simply sold cars it would not be objectionable, but to have three businesses on that property is objectionable.

Mr. Libka stated in rebuttal that the only way they have survived is by having a well rounded business.

POLICY/PROGRAM IMPACT

| | | |
|-------------------------------|-----------------------------|------------------------------|
| Policy or Program Change | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| | | |
| | | |
| | | |
| Operational Impact Assessment | | |
| | | |
| | | |
| | | |

(This space for further discussion)

Ben Eisbart stated that he would request staff to check the zoning of the property to the west and also he felt that recommendation "1." in the staff analysis is indeed the feeling of the staff it might be expanded upon. He stated that he failed to see how it was applicable in this situation.

There was no one else to speak in favor of or in opposition to the proposed rezoning.

It is to be noted that Ray Racine with the Northside Neighborhood Association withdrew their opposition to the proposed rezoning at the October 27, 1986 business meeting.

Item "1." in the staff analysis has been reevaluated and re-written the map of the area does now correctly reflect the zoning of the area.

Motion was made to return the ordinance to the Common Council with a DO NOT PASS recommendation, motion carried.

Of the 8 members present 7 voted in favor of denial one did not vote.

Project Start

Date 10-18-86

Projected Completion or Occupancy

Date 11-6-86

Fact Sheet Prepared by

Date 11-6-86

Patricia Biancaniello

Reviewed by

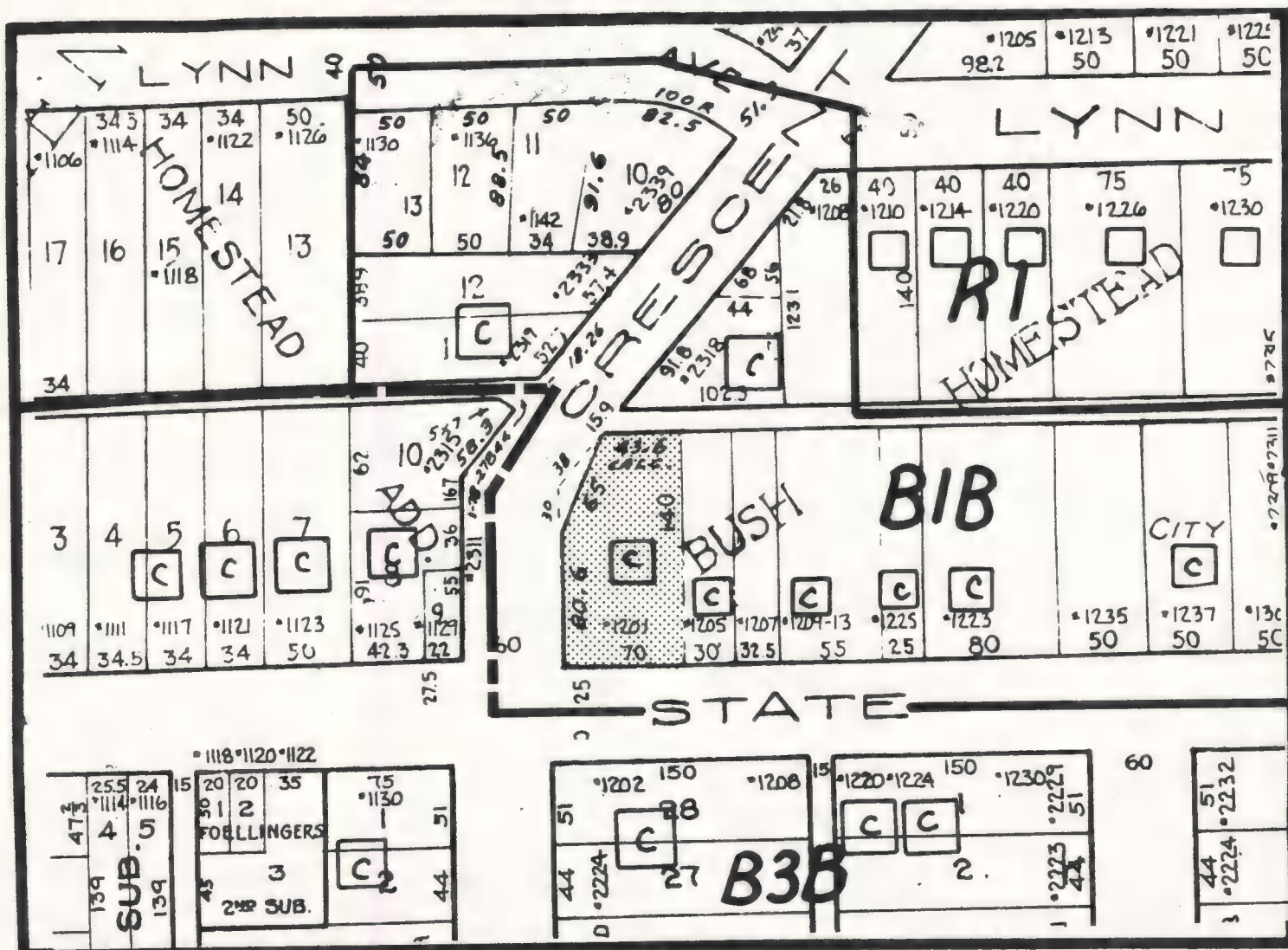
Date 11/12/86

Reference or Case Number

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A B-1-B DISTRICT TO A B-3-B DISTRICT.

MAP NO. 0-18

COUNCILMANIC DISTRICT NO. 2



ZONING:

LAND USE:

BIB LIMITED BUSINESS 'B'
B3B GENERAL BUSINESS 'B'
RI RESIDENTIAL DISTRICT

☐ SINGLE FAMILY
☒ COMMERCIAL

SCALE: 1" = 100'

27 DATE: 10-6-86



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1986 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-10-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1986.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;


(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1986.

Certified and signed this
6th day of November 1986.



Melvin O. Smith
Secretary

Change of Zone #227

Proposal: James & Jacqueline Libka request a change of zone from B-1-B to B-3-B.

Location: 1201 E. State

Legal: See File

Zoning: B-1-B

Land Area: Approximately 0.18 Acres

| | | | |
|---------------|-------|-----|------------|
| Surroundings: | North | B1B | Commercial |
| | South | B3B | Commercial |
| | East | B1B | Commercial |
| | West | B3B | Commercial |

Reason for Request: Diversification of business interest

Comprehensive Plan:

The General Land Use Policies of the Comprehensive Plan state that rezonings and development proposals should be compatible with existing land uses and should not establish an undesirable precedent in the area to be developed. The goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods.

Planning Staff Discussion:

This intersection serves as a break point for the existing zoning demarkations, with Crescent the end of the B-3-B classification on the north side of State. The existing B-3-B parcels are actually used less intensely than what might be expected. The immediate area hosts many retail stores, restaurants and banking establishments.

The B-1-B designation permits over 90 separate uses, which would allow the petitioners diversification, and which would be more compatible with the area (than some of the permitted B-3-B uses). Some of the permitted uses in the B-3-B classification could generate increased traffic congestion, at an intersection tht is already heavily used. This possible increase in traffic generation could raise additonal safety concerns, to the detriment of the general public.

We are not aware of any changes to the area of the petition that would warrant extension of B-3-B designations to the east, and believe that the existing property values would be better served by maintaining this parcel as B-1-B.

Recommendation: DO NOT PASS

1. Its approval would create additional traffic upon this already congested intersection.
2. Approval would set the stage for additional extensions of the more intense commercial designation, to the detriment of public safety and welfare concerns.
3. There are other more intense uses permitted in a B-3-B District such as a body shop, that would be disruptive to the neighborhood.
4. This application would be appropriate for the Board of Zoning Appeals where certain conditions can be placed.

SAM TALARICO

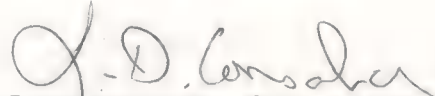
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 184/86/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,

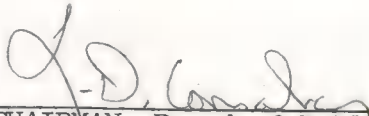
A handwritten signature in dark ink, appearing to read "L. D. Consalvos", is written over the typed name.

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 184/86 / D)

I hereby certify that I did this 10th day of November, 1986 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 184/86 / D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



CHAIRMAN, Board of Public Safety
Lawrence D. Consalvos

REGULATORY RESOLUTION NO. 184/86 /D

(Adopted November 5, 1986)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-51 of said chapter delegates to this Board authority to REGULATE PARKING

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 5, 1986, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-51 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

November 5, 1986, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(DELEGATED)

Creighton Avenue -- north side -- from Warsaw Street to
60' east thereof

Creighton Avenue -- north side -- from Warsaw Street to
60' west thereof

SAM TALARICO
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 185/86/E
186/86/D
187/86/E
188/86/E
189/86/E
190/86/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully Submitted,



Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

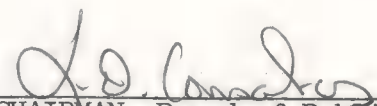
(Regulatory Resolution No. 185/86/E
186/86/D
187/86/E)

188/86/E

189/86/E

190/86/E

I hereby certify that I did this 17th day of
November, 1986 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. see above of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.



CHAIRMAN, Board of Public Safety

(Adopted November 13, 1986)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 12, 1986, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

STOP INTERSECTION (EMERGENCY)

Inland Trail -- stop -- for Frenchman's Crossing/Larchwood Run

REGULATORY RESOLUTION NO. 186/86D

(Adopted November 14, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION

(DELEGATED)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 13, 19 86, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

November 14, 19 86, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION

(DELEGATED)

Algonquin Pass -- preferential -- at Hiawatha Blvd.

REGULATORY RESOLUTION NO. 187/86/E

(Adopted November 17, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 158/86/E: STOP

INTERSECTION (EMERGENCY) 187/86/E

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated November 17, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 17, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Fairlawn Pass -- stop -- for Glencairn Drive

REGULATORY RESOLUTION NO. 188/86/E

(Adopted November 17, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 159/86/E: STOP

INTERSECTION (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated November 17, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 17, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Stophlet Street -- stop -- for Reidmiller Avenue

REGULATORY RESOLUTION NO. 189/86/E

(Adopted November 17, 1986)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 160/86/E: IMPAIRED
MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated November 17, 1986,
submitted to this Board his advice with regard to the regulation
herein adopted, which written memorandum is on file in the
office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF
THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by
Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne,
Indiana of 1986 to make temporary or experimental regulations to
cover special conditions, it is hereby ordered, effective

November 17, 1986, and for a
period of sixty (60) days thereafter, and when signs are erected
pursuant hereto giving notice thereof, that the FOLLOWING IS
ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

737 Walnut Street -- south side -- from 70' east of Fox Avenue
to 20' east thereof

REGULATORY RESOLUTION NO. 190/86/E

(Adopted November 17, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 161/86/E: 2 HR.

PARKING 8 A.M. - 6 P.M. (EMERGENCY) & DELETE: NO PARKING
(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 17, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

November 17, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

2 HR. PARKING 8 A.M. - 6 P.M. (EMERGENCY)

Northside Drive -- east side -- from E. State Blvd. to 700' north thereof

DELETE: NO PARKING (EMERGENCY) -

Northside Drive -- east side -- from E. State Blvd. to 700' north thereof

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Special Session, held on Tuesday 11, 1985 the 10th day of November, 1986, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____,

SANDRA E. KENNEDY, CITY CLERK